

HOUSE BILL 658

E4

2lr0124

By: **Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**

Introduced and read first time: February 8, 2012

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Emergency Management – Emergency Plans for Human**
3 **Service Facilities – Dialysis Centers**

4 FOR the purpose of altering the definition of “human service facility” to include
5 certain kidney dialysis centers for purposes of certain provisions of law
6 requiring a human service facility to develop a certain emergency plan;
7 providing that a human service facility is solely responsible for certain financial
8 obligations arising from certain activations of a certain emergency plan; requiring
9 the Department of Health and Mental Hygiene to adopt certain regulations on or
10 before a certain date in consultation with representatives of certain entities; and
11 generally relating to emergency plans for human service facilities.

12 BY repealing and reenacting, with amendments,
13 Article – Public Safety
14 Section 14–110.1
15 Annotated Code of Maryland
16 (2011 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Public Safety**

20 14–110.1.

21 (a) In this section, “human service facility” means a facility licensed by the
22 State that is:

23 (1) a nursing home, as defined in § 19–1401 of the Health – General
24 Article;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) an assisted living facility, as defined in § 19–1801 of the
2 Health – General Article;

3 (3) a hospital, as defined in § 19–301 of the Health – General Article;

4 (4) a related institution as defined in § 19–301 of the Health – General
5 Article;

6 (5) a State–operated institution for mental disease;

7 (6) a group home as defined in § 7–101 of the Health – General Article;

8 (7) an alternative living unit as defined in § 7–101 of the
9 Health – General Article; [and]

10 (8) a State residential center as defined in § 7–101 of the
11 Health – General Article; AND

12 **(9) A KIDNEY DIALYSIS CENTER AS DEFINED IN § 19–3B–01 OF**
13 **THE HEALTH – GENERAL ARTICLE.**

14 (b) A human service facility shall develop an emergency plan.

15 (c) An emergency plan shall include procedures that will be followed before,
16 during, and after an emergency to address:

17 (1) the evacuation, transportation, or shelter–in–place of individuals
18 served by the human service facility;

19 (2) the notification to families, staff, and licensing authorities
20 regarding the action that will be taken concerning the safety and well–being of the
21 individuals served by the human service facility;

22 (3) staff coverage, organization, and assignment of responsibilities;
23 and

24 (4) the continuity of operations, including:

25 (i) procuring essential goods, equipment, and services; and

26 (ii) relocation to alternate facilities.

27 **(D) A HUMAN SERVICE FACILITY IS SOLELY RESPONSIBLE FOR ANY**
28 **FINANCIAL OBLIGATION ARISING FROM VOLUNTARY OR MANDATORY**

1 **ACTIVATION OF ANY ASPECT OF THE EMERGENCY PLAN DEVELOPED BY THE**
2 **HUMAN SERVICE FACILITY UNDER THIS SECTION.**

3 **[(d)] (E)** (1) On or before November 30, 2007, a State agency that is
4 responsible for the licensing of a human service facility shall adopt regulations
5 governing the development of emergency plans under this section.

6 (2) Regulations adopted under paragraph (1) of this subsection shall
7 be developed in consultation with representatives of:

8 (i) the Maryland Emergency Management Agency;

9 (ii) the Maryland Institute for Emergency Medical Services
10 Systems;

11 (iii) local organizations for emergency management; and

12 (iv) human service facilities.

13 **[(e)] (F)** For purposes of coordinating local emergency planning efforts, a
14 human service facility shall provide access to the emergency plans developed under
15 this section to local organizations for emergency management.

16 **SECTION 2. AND BE IT FURTHER ENACTED,** That, on or before January 1,
17 2013, the Department of Health and Mental Hygiene shall adopt regulations
18 governing the development of emergency plans by kidney dialysis centers subject to
19 Section 1 of this Act, in consultation with representatives of:

20 (1) the Maryland Emergency Management Agency;

21 (2) the Maryland Institute for Emergency Medical Services Systems;

22 (3) local organizations for emergency management; and

23 (4) kidney dialysis centers.

24 **SECTION 3. AND BE IT FURTHER ENACTED,** That this Act shall take effect
25 October 1, 2012.